

REMARKS

Reconsideration of the present application is respectfully requested.

Summary of Office Action

Claims 1-4, 6, 8-19, 21-37, 39-49, 51, 52, 57, and 58 were rejected under 35 U.S.C. § 103(a) based on the U.S. Patent no. 6,986,018 B2 of O'Rourke et al. ("O'Rourke") in view of U.S. Patent no. 6,134,588 of Guenthner et al. ("Guenthner").

Summary of Amendments

In this amendment, claims 1, 8-11, 15, 23, 26, 32, 34, 37, 49, and 58 have been amended. Claims 59-66 have been added.

Discussion of § 23 U.S.C. 103 Rejections

The present invention relates to forwarding client requests in a cache hierarchy based on user-defined forwarding rules. In one embodiment of the invention, a proxy cache on a network provides a user interface that enables a network administrator or other user to easily specify and/or modify a set of forwarding rules to control the forwarding of content requests within a cache hierarchy. When the proxy cache receives a request for content from a client, it examines the rules to determine whether any of the rules from the user defined rules applies to the request.

If a rule is found to apply, the proxy cache identifies one or more forwarding destinations (or hosts) from the rule and determines the availability of such destination(s). However, if more than one destination is determined to be available, one of the available destinations is selected based on delivery factors specified in the rule (emphasis added). Examples of these delivery factors include link bandwidth (e.g., measure of bandwidth that can be supported by a particular destination),

destination loads (e.g., indication of whether current load exceed threshold load of a particular destination), destination weighting (e.g., indication of how forwarding of requests should be distributed between two or more destinations), etc.

Accordingly, claims 1, 15, 23, 26, 32, 34, 37, 49, and 59 have been amended to recite in relevant part, **"if more than one host is available as indicated by said rule, the host is selected based on a delivery factor included in said rule"** (emphasis added).

The cited references, either individually or in combination, do not disclose or even suggest such that the destination or host should be selected based on any delivery factors. Although Applicants' arguments shall be directed to the alleged combination of references, it is useful to first consider their individual disclosures, in order to ascertain what combination, if any, could be made from them.

O'Rourke does not teach or suggest at all that the destination or host should be selected based on any delivery factors. Specifically, **O'Rourke does not teach what needs to be done if there is more than one available destination to which a client's request for content can be forwarded.** O'Rourke provides that the "cache policies dictate that the client be redirected to a different server," and that "[t]he server to which the client is redirected may be another cache server or an origin server" (col 6, line 66 – col 7, line 5). Further, O'Rourke provides that "[t]he [cache] policy may cause the client to wait while the cahce server downloads ... requested content, the client may be redirected to a different cache server, or the client may be redirected to the origin server to retrieve the requested content" (col. 8, lines 5-23). Thus, **O'Rourke teaches merely that the cache policies cause the client to be redirected to a different cache server, and does not at all suggest or teach what happens if more than one cache server is available.** Specifically, O'Rourke does not provide any teaching to indicate how one cache server should be selected over another available cache server or whether the client request should be distributed between available cache servers, etc.

Therefore, Applicants respectfully submit that O'Rourke does not disclose or teach how the host is selected based on a delivery factor when more than one host is available as indicated by the forwarding rule, as recited in the independent claims 1, 15, 23, 26, 32, 37, 49, and 58 (as amended).

Likewise, Guenthner also does not disclose or suggest any of the above limitations. As such, the cited combination cannot render the claimed invention obvious. For at least these reasons, therefore, claims 1, 15, 23, 26, 32, 34, 37, 49, and 58 and all claims which depend on it are thought to be patentable over the cited art.

Therefore, Applicants respectfully request the Examiner to withdraw the § 103 rejections to claims 1, 15, 23, 26, 32, 34, 37, 49, and 58 and all claims that depend upon these claims.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges, please charge Deposit Account No. 50-2207.

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Respectfully submitted,
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